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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD ADAME, *et al.*,
Plaintiffs,
v.
BANK OF AMERICA,
Defendant.

No. C 09-129 SI

**ORDER DENYING DEFENDANT'S
MOTION TO SEVER CLAIMS, OR IN
THE ALTERNATIVE, MOTION TO
BIFURCATE TRIALS**

On December 14, 2010, the Court held a hearing on defendant's motion to sever claims, or in the alternative, to bifurcate the trials of plaintiffs Bender and Davis. The Court has broad discretion regarding whether to sever claims under Rule 21, *Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1297 (9th Cir. 2001), and whether to bifurcate trials. *Danjaq LLC v. Sony Corp.*, 263 F.3d 942, 961 (9th Cir. 2001). The Court finds that there will be substantial overlap in the testimony of witnesses and evidence at trial regarding plaintiffs' cases, and that judicial economy, convenience, and efficiency strongly weigh in favor of a consolidated trial. The Court is unpersuaded by defendant's arguments regarding prejudice. The claims of the two plaintiffs are straightforward and the Court is confident that with the use of limiting instructions, the jury will be able to keep the claims of the plaintiffs separate.

Accordingly, defendant's motion to sever or bifurcate is DENIED. (Docket No. 113).

IT IS SO ORDERED.

Dated: December 14, 2010



SUSAN ILLSTON
United States District Judge